

Bill No.: 4-04
Concerning: Criminal Justice
Coordinating Commission - Revisions
Revised: _____ Draft No. 2
Introduced: March 9, 2004
Enacted: June 15, 2004
Executive: June 25, 2004
Effective: September 24, 2004
Sunset Date: None
Ch. 13, Laws of Mont. Co. 2004

COUNTY COUNCIL FOR MONTGOMERY COUNTY, MARYLAND

By: Council President at the request of the County Executive

AN ACT to:

- (1) change the composition of the Criminal Justice Coordinating Commission;
- (2) revise the term of service for certain members;
- (3) amend the duties of the Commission; and
- (4) generally revise the law concerning the Criminal Justice Coordinating Commission.

By amending

Montgomery County Code,
Chapter 2, Administration
Section 2-60

Boldface indicates a heading or a defined term

Underlining indicates text that is added to existing law by the original bill

[Single boldface brackets] indicate text that is deleted from existing law by the original bill

Double underlining indicates text that is added to the bill by amendment

[[Double boldface brackets]] indicate text that is deleted from existing law or the bill by amendment

* * * indicates existing law unaffected by the bill

The County Council for Montgomery County, Maryland, approves the following Act:

1 **Sec. 1. Section 2-60 is amended by as follows:**

2 **2-60. Criminal Justice Coordinating Commission**

3 (a) **Established.** There is a Criminal Justice Coordinating
4 Commission.

5 (b) **Composition; officers; terms of members; meetings; staff.**

6 (1) The Commission has [26] 30 members.

7 [(A) The ex-officio members are a representative of each
8 of the
9 following officers, or their designees;

10 (i) County Executive;

11 (ii) Director, Police Department;

12 (iii) Sheriff;

13 (iv) Administrative Judge of the District Court;

14 (v) State's Attorney;

15 (vi) Clerk of the Circuit Court;

16 (vii) Administrative Judge of the Circuit Court;

17 (viii) Public Defender;

18 (ix) Director, Department of Correction and
19 Rehabilitation;

20 (x) Mayor or Chief of Police, City of Rockville;

21 (xi) Mayor or Chief of Police, City of Gaithersburg;

22 (xii) Mayor or Chief of Police, City of Takoma Park;

23 (xiii) Chair of the Board of Managers or Chief of Police,
24 Chevy Chase Village;

25 (xiv) Juvenile Judge of the Court;

26 (xv) County Council Staff;

27 (xvi) State Department of Parole and Probation;

28 (xvii) Montgomery County Division of Maryland-

- 29 National Capital Park and Planning Commission
30 Police;
- 31 (xviii) two members designated by the Director,
32 Department
33 of Health and Human Services; and
34 (xix) State Department of Juvenile Services.
- 35 (B) The County Executive must appoint the following 6
36 additional members to 4-year terms subject to
37 confirmation
38 by the County Council:
- 39 (i) one member of the County delegation to the
40 Maryland General Assembly;
 - 41 (ii) one representative of the Juvenile Court Committee;
 - 42 (iii) a member of the legal profession who practices in
43 Montgomery County; and
 - 44 (iv) three members of the public who have special
45 knowledge and dedicated interest in the criminal
46 justice field.]
- 47 (2) The County requests the following individuals to serve as
48 ex-officio
49 members of the Commission:
- 50 (A) [[The]] Administrative Judge of the Circuit Court
51 for Montgomery County;
 - 52 (B) [[The]] Administrative Judge of the District Court
53 for Montgomery County;
 - 54 (C) [[The]] State’s Attorney for Montgomery County;
 - 55 (D) [[The Montgomery]] County Sheriff;
 - 56 (E) [[The]] Clerk of the Circuit Court for Montgomery

57 County;

58 (F) [[The]] Public Defender for Montgomery County;

59 (G) [[The]] Chief of the City of Rockville Police

60 Department;

61 (H) [[The]] Chief of the City of Gaithersburg Police

62 Department;

63 (I) [[The]] Chief of the City of Takoma Park Police

64 Department;

65 (J) [[The]] Chief of the Village of Chevy Chase Police

66 Department; and

67 (K) [[The]] Chief of the Montgomery County Maryland-
68 National Capital Park and Planning Commission

69 Police Department.

70 (3) The following individuals are ex-officio members of the
71 Commission:

72 (A) Chair of the County Council's Public Safety
73 Committee;

74 (B) [[A]] [[The]] Chief Administrative Officer;

75 (C) [[B]] [[The]] Chief of the [[Montgomery]] County
76 Police Department;

77 (D) [[C]] [[The]] Director of the Department of Correction
78 and Rehabilitation;

79 (E) [[D]] Chief of Behavioral Health and Crisis Services of
80 the Department of Health and Human Services;

81 (F) Chief of Children, Youth, and Family
82 Services of the Department of Health and
83 Human Services;

84 [[E]] The Director of the Office of Management and

- 85 Budget;]] and
 86 (G) [[(F)]] [[The]] Director of the Department of
 87 Technology Services.
- 88 (4) The County Executive should appoint, subject to Council
 89 confirmation, the following individual[[s]] to serve a 3
 90 year term[[s]] as a member[[s]] of the Commission:
 91 [[A) A member of the Montgomery County Council
 92 selected by the Council President; and]]
 93 [[B)] A member of the [[Montgomery]] County
 94 Legislative Delegation selected jointly by the Chairs
 95 of the House and Senate Delegations.
- 96 (5) The [[County]] Executive must appoint, subject to Council
 97 confirmation, to 3-year terms:
- 98 (A) 7 members of the public, one of whom must be a
 99 member of the [[legal profession]] Maryland bar
 100 who practices law in the County;
- 101 (B) An employee of the Division of Parole and
 102 Probation in the [[Maryland]] State Department of
 103 Public Safety and Correctional Services, after giving
 104 the Director of the Division an opportunity to make
 105 a recommendation;
- 106 (C) An employee of the [[Maryland]] State Department
 107 of Juvenile Justice, after giving the Secretary of the
 108 Department an opportunity to make a
 109 recommendation;
- 110 (D) A member of the Commission on Juvenile Justice,
 111 after giving the Commission an opportunity to make
 112 a recommendation; and

113 (E) A member of the Advisory Board on Victims and
 114 their Families, after giving the Board an opportunity
 115 to make a recommendation.

116 [(2) The County Executive must designate the Commission
 117 Chair, who serves a one-year term.]

118 [(3) The Commission must elect the Commission Vice-Chair,
 119 who serves a one-year term.]

120 (6) After considering the recommendation of the Commission,
 121 if any, the [[County]] Executive must [[select]] designate
 122 the Chair and Vice-Chair of the Commission. The Chair
 123 and Vice-Chair serve one-year terms.

124 [(4)] (7) The Commission must meet at least [9] 4 times each
 125 year.

126 [(5)] (8) [[The provisions of]] Section 2-148[(c)] [[do]] does not
 127 apply to ex-officio [Commission] members or members
 128 appointed under [[paragraph]] subsection [(6)] (4).

129 [(6)] (9) The Chief Administrative Officer must provide staff
 130 support to the Commission, subject to appropriation.

131 (c) **Duties.** The Commission must:

132 (1) evaluate the organization and adequacy of law
 133 enforcement and the administration of justice in the
 134 County;

135 (2) [recommend a 6-year comprehensive plan for the long-
 136 range development of the County’s criminal justice system
 137 that provides solutions for problem areas and achieves
 138 effective coordination of criminal justice activities] review
 139 and comment [[on]], at the request of the County
 140 Executive or the County Council, on programs concerning

- 141 criminal justice [[proposed by law enforcement and
 142 criminal justice agencies]] for:
- 143 (A) long-term impacts [[on the criminal justice
 144 system]];
- 145 (B) feasibility; and
- 146 (C) implementation issues.
- 147 (3) [review programs proposed by law enforcement and
 148 criminal justice agencies for:
- 149 (A) the 6-year plan;
- 150 (B) the County Executive’s proposed capital and
 151 operating budgets; and
- 152 (C) specific grant applications] respond to requests from
 153 the [[County]] Executive, [[the County]] Council,
 154 and the judicial system for any analysis concerning
 155 criminal justice programs;
- 156 (4) educate the community about law enforcement, crime
 157 prevention, reentry of individuals to the community, and
 158 other criminal justice issues, promote respect for law, and
 159 encourage community involvement in law enforcement
 160 and other appropriate components of the criminal justice
 161 system;
- 162 (5) facilitate coordination of the programs and activities of
 163 County law enforcement and criminal justice agencies;
- 164 (6) facilitate coordination of County law enforcement and
 165 criminal justice agencies with those of the State [[of
 166 Maryland]] and neighboring state and local governments;
- 167 (7) promote efficient processing of criminal cases at every
 168 stage from arrest to completion of trial and correctional

169 programs; and

170 (8) [carry out other activities] advise the County on how to
171 achieve fair and effective law enforcement, crime
172 prevention, and juvenile justice.

173 (d) **Information and assistance.** ~~[[The agencies]]~~ Each agency of
174 County Government must give the Commission any information
175 and assistance, not inconsistent with law, that the Commission
176 requests to perform its duties.

177 (e) **Reports and recommendations.** The Commission may make
178 reports and recommendations to the ~~[[County]]~~ Executive and
179 ~~[[the County]]~~ Council from time to time as the Commission
180 finds appropriate. The Commission must report to the Council
181 and the Executive on request [, and must present an annual report
182 on the Commission’s activities by September 1 of each year].

183 **Sec. 2 Transition.**

184 Appointed members of the Criminal Justice Coordinating Commission
185 on the effective date of this Act continue to serve on the Commission until the
186 end of their terms. The County Executive may stagger the initial terms of
187 appointed members so that approximately one-third of the terms ~~[[of the~~
188 members]] expire each year.

189 Approved:

190 /s/ 6/17/04

Steven A. Silverman, President, County Council Date

191 Approved:

192 /s/ 6/25/04

Douglas M. Duncan, County Executive Date

193 This is a correct copy of Council action.

194 /s/

6/28/04

Mary A. Edgar, CMC, Clerk of the Council

Date